

AUG - 7 2006

JOHN F. CORCORAN, CLERK
BY: *M. Hupp*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAMES M. F. HUGHES, JR.,
Petitioner,

v.

WARDEN, WALLENS RIDGE
STATE PRISON,
Respondent.

Civil Action No. 7:06-cv-00451

FINAL ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is now

ORDERED

that the petition for writ of habeas corpus filed by the petitioner, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice as successive.

The Clerk is directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 7th day of August, 2006.

Jackson L. Kiser
Senior United States District Judge